

Document #4774

6/26/86

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated JUN 26 1986 relating to a portion of the SOUTH COVE URBAN RENEWAL AREA, Mass. R-92, be executed, and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
Joseph J. Walsh
James K. Flaherty

Clarence J. Jones
Michael F. Donlan

A true copy

ATTEST:

Klaus Finckh

Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8072, page 276, an Order of Taking, dated September 15, 1966, concerning and describing the SOUTH COVE URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including any trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel

in an to any and all public streets, highways and public ways
in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the
provisions of the said c. 79, as amended, awards are made by
the Boston Redevelopment Authority for damages sustained by
the owner or owners and all other persons, including all mortgagees
of record, having any and all interest in each parcel described
in ANNEX A and entitled to any damages by reason of the taking
hereby made. The Boston Redevelopment Authority reserves the
right to amend the award at any time prior to the payment thereof
by reason of a change in ownership or value of said property
before the right to damages therefor has become vested or for other
good cause shown. The awards hereby made are set forth in
ANNEX B, which ANNEX B is not to be recorded in the Registry
of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the
Boston Redevelopment Authority cause this instrument of Taking
to be recorded in the office of the Suffolk County Registry of
Deeds.

IN WITNESS WHEREOF, we, the following members of
the Boston Redevelopment Authority have caused the corporate
seal of the Authority to be hereto affixed and these presents to

be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: JUN 26 1986

BOSTON REDEVELOPMENT AUTHORITY

By:

Robert L. Farnell
James R. Hume
James R. Hume
Michael J. Lougher

ATTEST:

Karen Surmanian

Secretary of the Boston Redevelopment Authority

APPROVED AS TO FORM:

Ralph F. Cahill

Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is to be taken by this Order of Taking:

Boston Redevelopment Authority Disposition Parcel R-7, containing approximately 14,432 square feet, situated on the northwesterly side of Tremont Street between Church Street and Jefferson Street and is bounded and described as follows:

Beginning at the northwesterly corner of Tremont Street and Jefferson Street;

thence running southwesterly by a curve with a radius of 140.00 feet a distance of fifteen and ninety-three hundredths (15.93') feet;

thence running S52°-02'-49"W a distance of twenty and forth-two hundredths (20.42') feet;

thence running S37°-57'-11"E, a distance of four and no hundredths (4.00') feet;

thence running S52°-02'-49"W, a distance of two hundred thirty-eight and no hundredths (238.00') feet;

thence running N38°-27'-28"W a distance of thirty-five and sixty-seven hundredths (35.67') feet along the northeasterly line at Church Street;

thence running N51°-04'-23"E a distance of twenty-two and 31 hundredths (22.31') feet;

thence running N38°-42'-34"W a distance of ten and forty-six hundredths feet (10.46') feet;

thence running N51°-58'-54"E a distance of one hundred twenty-three and thirty hundredths feet (123.30') feet;

thence running N51°-43'-47"E a distance of twenty-three and twenty-nine hundredths feet (23.29') feet;

thence running N52°-36'-05"E a distance of twenty-one and eleven hundredths feet (21.11') feet;

thence running N50°-37'-56"E a distance of twenty and nineteen hundredths (20.19') feet;

thence running N39°-08'-03"W a distance of thirty and forty-five hundredths (30.45') feet;

thence running N50°-52'-36"E a distance of sixty-four and fifty-one hundredths (64.51') feet;

thence running along the southwesterly line of Jefferson Street S38°-28'-31"E a distance of seventy-three and ninety-three hundredths (73.93') feet to the point of beginning.

Said parcel of land contains about 14,432 square feet. Said parcel of land is made up of two parcels, one shown on the plan recorded in Deed Book 8827, page 517, and the other a discontinued parcel of land shown on a plan prepared by Universal Engineering Corporation more especially John Preston LeBlanc, PLS, dated May 9, 1986, rev. June 12, 1986.

The owner of the parcel of land hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

No Awards are to be made with this Order of Taking.

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: FINAL DESIGNATION OF CHINESE CONSOLIDATED BENEVOLENT
ASSOCIATION OF NEW ENGLAND
APPROVAL OF FINAL WORKING DRAWINGS AND SPECIFICATIONS
AND PROPOSED DISPOSITION OF PARCEL R-7
IN THE SOUTH COVE URBAN RENEWAL AREA
PROJECT NO. MASS. R-92

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, Chinese Consolidated Benevolent Association of New England has expressed an interest in and/or have submitted a satisfactory proposal for the development of Disposition Parcel R-7 in the South Cove Urban Renewal Area; and

WHEREAS, the Urban Renewal Plan for the South Cove Area, Project Mass. R-92 (the "Plan") was adopted by the Authority on June 3, 1965 and approved by City Council on June 29, 1965 and

WHEREAS, Section XII of said Plan, entitled "Modifications" provides in pertinent part that the Urban Renewal Plan may be modified at any time by the Boston Redevelopment Authority where the proposed modification will not substantially or materially alter or change the Plan; and

WHEREAS, the proposed redevelopment will necessitate a modification of the Plan; and

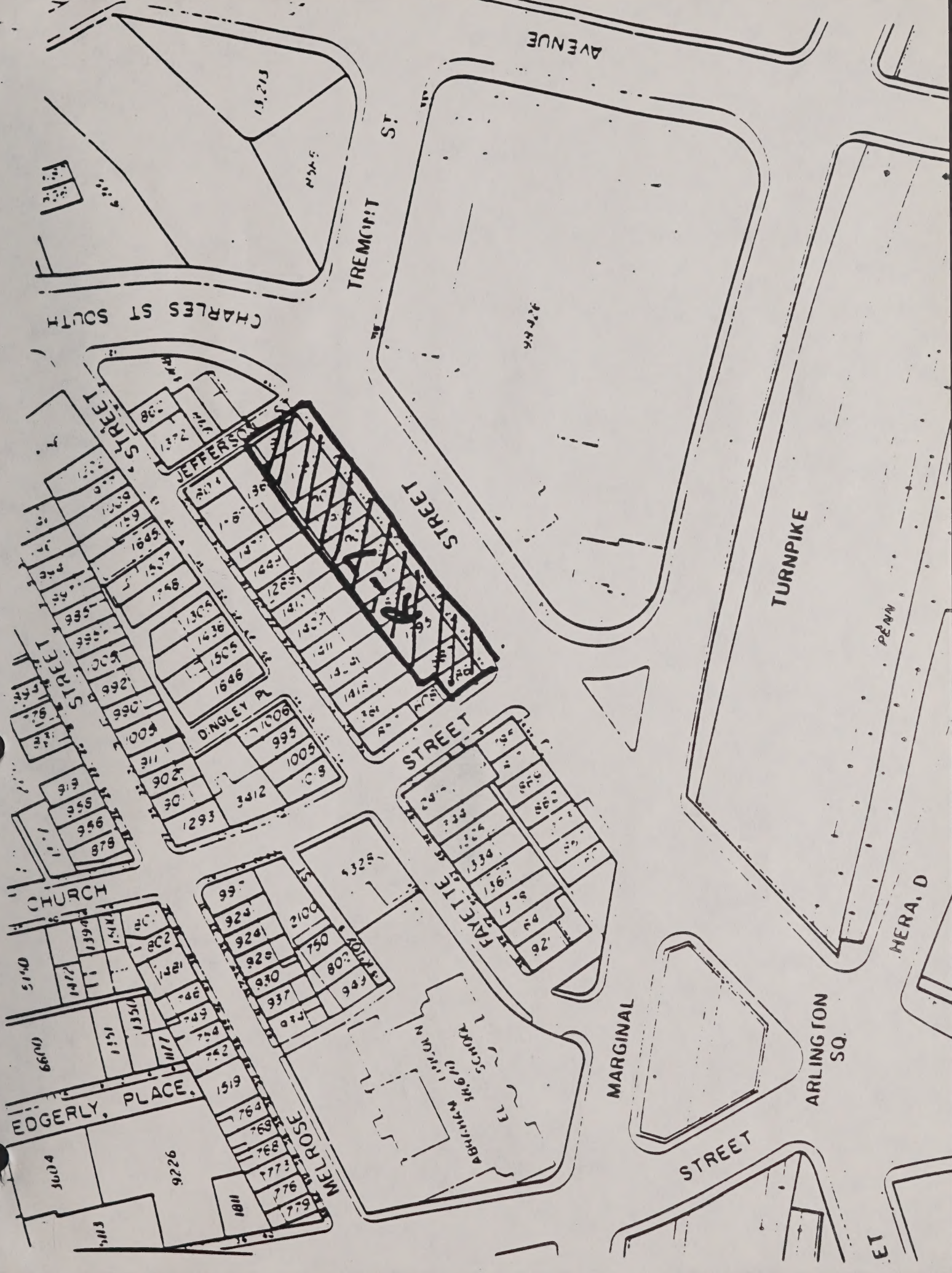
WHEREAS, the Authority has determined that said modification is a minor modification under Section XII of the Plan;

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Chinese Consolidated Benevolent Association of New England be and hereby is finally designated as Redeveloper(s) of Parcel R-7 in the South Cove Urban Renewal Area.

2. That it is hereby determined that Chinese Consolidated Benevolent Association of New England possess the qualifications and financial resources necessary to acquire and develop the land in accordance with the Urban Renewal Plan for the Project Area.
3. That disposal of said Parcel by negotiation is the appropriate method of making the land available for redevelopment.
4. That the Director is hereby authorized for and in behalf of the Boston Redevelopment Authority to execute and deliver a Land Disposition Agreement and Deed conveying Parcel R-7 to Chinese Consolidated Benevolent Association of New England, said documents to be in the Authority's usual form.
5. That the Land Use and Building Requirements, Section 603, Table A, is hereby amended with respect to Parcel R-7 to eliminate the Ground Floor Setback requirement of 5 feet from all streets except Fayette Street.
6. That this modification is found to be a minor modification which does not substantially or materially alter or change the Plan.
7. That the Director be and he hereby is authorized to proclaim by certificate these minor modifications of the Plan in accordance with the provisions of the Urban Renewal Handbook RHM 7207.1
8. That the Final Working Drawings and Specifications submitted by Chinese Consolidated Benevolent Association of New England for the development of Parcel R-7 conform in all respects to the Urban Renewal Plan for the Project Area, as hereby amended, and that said Final Working Drawings and Specifications be and hereby are approved.
9. That it is hereby found and determined that the proposed development and minor modification of Plan will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.
10. That the Chinese Consolidated Benevolent Association of New England be granted an Early Entry License to begin subsurface and foundation work, and related activities. Said license shall incorporate the Authority's usual insurance requirements.
11. That a confirmatory Order of Taking be authorized for Parcel R-7 consisting of 14,432 square feet of land.
12. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004).



COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated **JUN 26 1986** relating to a portion of the SOUTH COVE URBAN RENEWAL AREA, Mass. R-92, be executed, and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
Joseph J. Walsh
James K. Flaherty

Clarence J. Jones
Michael F. Donlan

A true copy

ATTEST:

Klaus Simonian

Secretary of the Boston Redevelopment Authority

FILED/REGISTRY/DEEDS:

7-2-86

BOOK

12632

PAGE

18

DOE

418

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8072, page 276, an Order of Taking, dated September 15, 1966, concerning and describing the SOUTH COVE URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including any trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel

in an to any and all public streets, highways and public ways
in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the
provisions of the said c. 79, as amended, awards are made by
the Boston Redevelopment Authority for damages sustained by
the owner or owners and all other persons, including all mortgagees
of record, having any and all interest in each parcel described
in ANNEX A and entitled to any damages by reason of the taking
hereby made. The Boston Redevelopment Authority reserves the
right to amend the award at any time prior to the payment thereof
by reason of a change in ownership or value of said property
before the right to damages therefor has become vested or for other
good cause shown. The awards hereby made are set forth in
ANNEX B, which ANNEX B is not to be recorded in the Registry
of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the
Boston Redevelopment Authority cause this instrument of Taking
to be recorded in the office of the Suffolk County Registry of
Deeds.

IN WITNESS WHEREOF, we, the following members of
the Boston Redevelopment Authority have caused the corporate
seal of the Authority to be hereto affixed and these presents to

be signed in the name and behalf of the Boston Redevelopment
Authority.

DATED: JUN 26 1986

BOSTON REDEVELOPMENT AUTHORITY

By:

Rob L. Fennell
James R. Hynes
James R. Hynes
Michael J. Gault

ATTEST:

Karee Brumman

Secretary of the Boston Redevelopment Authority

APPROVED AS TO FORM:

Ralph F. Cahill
Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is to be taken by this Order of Taking:

Boston Redevelopment Authority Disposition Parcel R-7, containing approximately 14,432 square feet, situated on the northwesterly side of Tremont Street between Church Street and Jefferson Street and is bounded and described as follows:

Beginning at the northwesterly corner of Tremont Street and Jefferson Street;

thence running southwesterly by a curve with a radius of 140.00 feet a distance of fifteen and ninety-three hundredths (15.93') feet;

thence running S52°-02'-49"W a distance of twenty and forth-two hundredths (20.42') feet;

thence running S37°-57'-11"E, a distance of four and no hundredths (4.00') feet;

thence running S52°-02'-49"W, a distance of two hundred thirty-eight and no hundredths (238.00') feet;

thence running N38°-27'-28"W a distance of thirty-five and sixty-seven hundredths (35.67') feet along the northeasterly line at Church Street;

thence running N51°-04'-23"E a distance of twenty-two and 31 hundredths (22.31') feet;

thence running N38°-42'-34"W a distance of ten and forty-six hundredths feet (10.46') feet;

thence running N51°-58'-54"E a distance of one hundred twenty-three and thirty hundredths feet (123.30') feet;

thence running N51°-43'-47"E a distance of twenty-three and twenty-nine hundredths feet (23.29') feet;

thence running N52°-36'-05"E a distance of twenty-one and eleven hundredths feet (21.11') feet;

thence running N50°-37'-56"E a distance of twenty and nineteen hundredths (20.19') feet;

thence running N39°-08'-03"W a distance of thirty and forty-five hundredths (30.45') feet;

thence running N50°-52'-36"E a distance of sixty-four and fifty-one hundredths (64.51') feet;

thence running along the southwesterly line of Jefferson Street S38°-28'-31"E a distance of seventy-three and ninety-three hundredths (73.93') feet to the point of beginning.

Said parcel of land contains about 14,432 square feet. Said parcel of land is made up of two parcels, one shown on the plan recorded in Deed Book 8827, page 517, and the other a discontinued parcel of land shown on a plan prepared by Universal Engineering Corporation more especially John Preston LeBlanc, PLS, dated May 9, 1986, rev. June 12, 1986.

The owner of the parcel of land hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

No Awards are to be made with this Order of Taking.

Dir. # 4774

8A
June 26, 1986

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: RICHARD GARVER, ASSISTANT DIRECTOR
CAROLE E. MATHIESON, PROJECT COORDINATOR

SUBJECT: SOUTH COVE URBAN RENEWAL AREA R-92
DISPOSITION PARCEL R-7
FINAL DESIGNATION
CONFIRMATORY ORDER OF TAKING

On March 21, 1985, the Chinese Consolidated Benevolent Association of New England (CCBA) and the Executive Office of Communities and Development (EOCD) were tentatively designated redevelopers of Parcel R-7 in the South Cove Urban Renewal Area for the construction of 20 units of low income family housing. Since that time the project has been subject to intense design review, which has resulted in modifications to the project that make it an attractive, architecturally compatible addition to the Bay Village Historic District.

The approved design places the building at the property line on Church and Tremont Streets, as is consistent with existing historic buildings in the Bay Village area. This design element will require a minor modification to Section VI of the South Cove Urban Renewal Plan, which calls for five (5) foot set back from all streets.

Authority staff has approved final plans for the project. The Massachusetts Protection Agency has issued a finding of no significant environmental impact for the project.

The CCBA has elected to obtain financing for the project's construction from the Massachusetts Housing Finance Agency. A mortgage commitment for \$2,277,063 was recently approved by MHFA. EOCD therefore will not be a joint redeveloper of this project as was contemplated under the tentative designation. Final closing is anticipated in mid-July and construction will commence shortly thereafter.

The project will provide 20 units of assisted low income housing under an agreement between EOCD and CCBA whereby EOCD is committed to utilizing its Chapter 707 Rental Assistance Program to subsidize the rents for this project. The project will consist of 16-3 bedroom units and 4-2 bedroom units. The Chinese community is very much in need of larger family units at affordable rent levels for low income households.

It is recommended, therefore that the Chinese Consolidated Benevolent Association of New England be granted final designation of Parcel R-7 and a license for early entry to begin subsurface and foundation work and related activities. The licensee will be required to obtain liability insurance per the Authority's usual requirements. It is also recommended that a Confirmatory Order of Taking be authorized for 14,432 square feet of land in the South Cove Urban Renewal Area, and that a minor modification of the South Cove Urban Renewal Plan be approved.

An appropriate resolution is attached.

